

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

JAMES RIVER EQUIPMENT, VIRGINIA, LLC,

Plaintiff,

v.

CIVIL ACTION NO. 5:13-cv-28160

JUSTICE ENERGY COMPANY, INC.,

Defendant.

ORDER

The Court has reviewed the *Second Status Report of the United States of America Pursuant to Court's Order of December 7, 2018 (ECF No. 111) and Request for Leave to Depose Employees and Representatives of Justice Energy Company, Inc., and to Discover and Compel Production of Financial Information* (Document 112), as well as *Defendant Justice Energy Company, Inc.'s Second Status Report with Regard to Sanction Payment* (Document 113). The United States indicates that the Defendant has not made any payment to satisfy the Court's civil contempt sanction and has not furnished financial information in response to a request by the United States. The United States therefore requests that the Court grant it leave to depose employees and representatives of Justice Energy Company, Inc., and to discover and compel the production of financial information. Justice Energy indicates that it has provided some financial information to the United States and "is currently in the process of examining available funds and assets and gathering information to provide to the U.S. Attorney's Office in that regard." (Def.'s Status Rep. at 1.)

After careful consideration, the Court **ORDERS** that the United States' *Motion* (Document 112) be **GRANTED**. The Court further **ORDERS** that the Defendant provide all requested information, including completing the form attached as an exhibit to the United States' motion (Document 112-1), no later than **January 25, 2019**, and that it make representatives and employees available for depositions, at the United States' request, no later than **February 15, 2019**.¹

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and to any unrepresented party.

ENTER: December 21, 2018



IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA

¹ The Defendant's decision to simply ignore Court orders, deadlines, and obligations precipitated the imposition of the contempt sanction. Continuing to flout the Court's directives is not a strategy likely to engender positive results.